

term of four years; Christopher R. Kavanaugh, of Virginia, to be United States Attorney for the Western District of Virginia for the term of four years; Darcie N. McElwee, of Maine, to be United States Attorney for the District of Maine for the term of four years; Breon S. Peace, of New Jersey, to be United States Attorney for the Eastern District of New York for the term of four years; William S. Thompson, of West Virginia, to be United States Attorney for the Southern District of West Virginia for the term of four years; and Damian Williams, of New York, to be United States Attorney for the Southern District of New York for the term of four years?

The nominations were confirmed en bloc.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

### NOTICES OF A TIE VOTE UNDER S. RES. 27

Mr. BROWN. Mr. President, I ask unanimous consent to print the following letters into the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,

*Washington, DC, October 5, 2021.*

*To the Secretary of the Senate:*

PN433, the nomination of Solomon Jeffrey Greene, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development, vice Seth Daniel Appleton, having been referred to the Committee on Banking, Housing, and Urban Affairs, the Committee with a quorum present, has vote on the nomination as follows—

1. On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed 12 ayes to 12 noes; and

In accordance with Section 3 paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee on Banking, Housing, and Urban Affairs has not reported the nomination because of a tie vote and ask that this notice be printed in the Record pursuant to the Resolution.

U.S. SENATE, COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,

*Washington, DC, October 5, 2021.*

*To the Secretary of the Senate:*

PN604, the nomination of Brian Eddie Nelson, of California, to be Under Secretary for Terrorism and Financial Crimes, vice Sigal Mandelker, resigned, having been referred to the Committee on Banking, Housing, and Urban Affairs, the Committee with a quorum

present, has vote on the nomination as follows—

1. On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed 12 ayes to 12 noes; and

In accordance with Section 3 paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee on Banking, Housing, and Urban Affairs has not reported the nomination because of a tie vote and ask that this notice be printed in the Record pursuant to the Resolution.

U.S. SENATE, COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,

*Washington, DC, October 5, 2021.*

*To the Secretary of the Senate:*

PN605, the nomination of Elizabeth Rosenberg, of Vermont, to be Assistant Secretary for Terrorist Financing, Department of the Treasury, vice Marshall Billingslea, having been referred to the Committee on Banking, Housing, and Urban Affairs, the Committee with a quorum present, has vote on the nomination as follows—

1. On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed 12 ayes to 12 noes; and

In accordance with Section 3 paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee on Banking, Housing, and Urban Affairs has not reported the nomination because of a tie vote and ask that this notice be printed in the Record pursuant to the Resolution.

U.S. SENATE, COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,

*Washington, DC, October 5, 2021.*

*To the Secretary of the Senate:*

PN747, the nomination of David Uejio, of California, to be an Assistant Secretary of Housing and Urban Development, vice Anna Maria Farias, having been referred to the Committee on Banking, Housing, and Urban Affairs, the Committee with a quorum present, has vote on the nomination as follows—

1. On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed 12 ayes to 12 noes; and

In accordance with Section 3 paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee on Banking, Housing, and Urban Affairs has not reported the nomination because of a tie vote and ask that this notice be printed in the Record pursuant to the Resolution.

U.S. SENATE, COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,

*Washington, DC, October 5, 2021.*

*To the Secretary of the Senate:*

PN767, the nomination of Julia Ruth Gordon, of Maryland, to be an Assistant Secretary of Housing and Urban Development, vice Dana T. Wade, having been referred to the Committee on Banking, Housing, and Urban Affairs, the Committee with a quorum present, has vote on the nomination as follows—

1. On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed 12 ayes to 12 noes; and

In accordance with Section 3 paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee on Banking, Housing, and Urban Affairs has not reported the nomination because of a tie vote and ask that this notice be printed in the Record pursuant to the Resolution.

### VOTE EXPLANATION

Mr. KELLY. Mr. President, on October 4, 2021, I missed the vote No. 403 on confirmation of Jonathan Meyer to be General Counsel for the Department of Homeland Security. Had I been in attendance, I would have voted yes on his confirmation.

### TRIBUTE TO ANITA DEASON

Mr. BOOZMAN. Mr. President, I rise to honor the service of Colonel (retired) Anita Deason as she retires from her work on behalf of the people of Arkansas, and especially the military and veterans community, as a member of my staff in the U.S. Senate.

Colonel Deason started her lifetime of service at 19 years old when she joined the Arkansas Army National Guard. She retired from that career in 2013 with 33 years of service and soon after joined my staff as our military and veterans liaison. Throughout her tenure with my office, she has used her knowledge and experience to improve programs and services for countless veterans and their families.

Over the past 7 years, Colonel Deason has traveled all across the Natural State to meet with veterans' organizations; visit local, State, and Federal facilities, as well as nonprofits; and resolve countless problems for her fellow veterans. Whether bringing groups together to tackle difficult issues or lending her support to promising new programs, she used every skill and connection she had to improve the lives of the men and women who serve our State and our Nation.

Of all her accomplishments during her time in the Senate, Anita is probably best known as a champion of the Library of Congress Veterans History Project. She spearheaded my office's involvement in this program to ensure that stories of America's veterans are recorded for generations to come. At that time, Arkansas veterans were underrepresented in this national collection, so she set out to conduct interviews and train other Arkansans to do the same. She ensured that veterans from all eras are included and that previously overlooked stories were recorded from veterans of color, women veterans, and others who served our country with honor and helped shape our modern military. She taught workshops, gave media interviews and trained other congressional staff, all in an effort to make the project even more robust and successful because of her passion for helping to learn about and preserve our former servicemembers' stories and experiences.

Her tenure in the Senate is only a small portion of Colonel Deason's public service. During her career in the Arkansas Army National Guard, she served as a platoon leader, detachment commander, company executive officer, and company commander. She was eventually promoted to colonel while serving as the human resources officer.

She received a number of awards and decorations during her military career including the Legion of Merit, Meritorious Service Medal, and the Arkansas Commendation Medal. In 2018, she was inducted into the Arkansas Military Veterans Hall of Fame. It was a well-deserved honor for her tremendous military service and her dedication to fighting for the needs of servicemembers and veterans throughout her years with the U.S. Senate.

It has been a blessing and true honor to have Anita Deason as a member of my team. Her unique perspective, dedication, and caring nature have been invaluable in our work to meet the needs of Arkansas' veterans. She truly made a difference. We will all miss working with her and wish her the best of luck in retirement.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

##### ENROLLED BILLS SIGNED

At 10:02 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1917. An act to establish a K-12 education cybersecurity initiative, and for other purposes.

H.R. 2278. An act to designate the September 11th National Memorial Trail Route, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 4. A bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 5, 2021, she had presented to the President of the United States the following enrolled bill:

S. 1917. An act to establish a K-12 education cybersecurity initiative, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2329. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Recapture of Excess Employment Tax Credits under the American Rescue Plan Act of 2021" (RIN1545-BQ09) received in the Office of the President of the Senate on September 23, 2021; to the Committee on Finance.

EC-2330. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice regarding the Special Per Diem Rates for 2021-2022" (Notice 2021-52) received in the Office of the President of the Senate on September 23, 2021; to the Committee on Finance.

EC-2331. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on Reporting Qualified Sick Leave Wages and Qualified Family Leave Wages Paid For Leave Provided in 2021" (Notice 2021-53) received in the Office of the President of the Senate on September 23, 2021; to the Committee on Finance.

EC-2332. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List to Germany in the amount of \$1,000,000 or more (Transmittal No. DDTC 21-049); to the Committee on Foreign Relations.

EC-2333. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to Germany, for the manufacture of significant military equipment abroad (Transmittal No. DDTC 20-025); to the Committee on Foreign Relations.

EC-2334. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to Australia, the UK, and the UAE in the amount of \$50,000,000 or more (Transmittal No. DDTC 20-090); to the Committee on Foreign Relations.

EC-2335. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of firearms abroad controlled under Category I of the U.S. Munitions List to Thailand in the amount of \$1,000,000 or more (Transmittal No. DDTC 20-082); to the Committee on Foreign Relations.

EC-2336. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense

services to the UK in the amount of \$50,000,000 or more (Transmittal No. DDTC 21-018); to the Committee on Foreign Relations.

EC-2337. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Total and Permanent Disability Discharge of Loans Under Title IV of the Higher Education Act" (RIN1840-AD48) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-2338. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits" (29 CFR Part 4044) received in the Office of the President of the Senate on September 28, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2339. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; Updating Payment Parameters, Section 1332 Waiver Implementing Regulations, and Improving Health Insurance Markets for 2022 and Beyond" (RIN0938-AU60) received in the Office of the President of the Senate on September 30, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2340. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Import Tolerances for Residues of Unapproved New Animal Drugs in Food" (RIN0910-AF78) received in the Office of the President of the Senate on September 28, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2341. A communication from the Compliance Specialist, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Tip Regulations Under the Fair Labor Standards Act (FLSA); Partial Withdrawal" (RIN1235-AA21) received in the Office of the President of the Senate on September 28, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2342. A communication from the Board Members of the Railroad Retirement Board, transmitting, pursuant to law, the Board's fiscal year 2021 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC-2343. A communication from the Secretary of Labor and the Director of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Pension Benefit Guaranty Corporation's fiscal year 2020 Actuarial Evaluation of the Expected Operations and Status of the PBGC Funds; to the Committee on Health, Education, Labor, and Pensions.

EC-2344. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-176, "Fiscal Year 2022 Budget Support Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2345. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Hiring Authority for Post-Secondary Students" (RIN3206-AN86) received in the Office of the President of the Senate on September 28, 2021; to the Committee on Homeland Security and Governmental Affairs.